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-- REMARKS --

Claims 1-9 remain under consideration. Applicant thanks Examiner Chow and her supervisor for their courtesies in the telephonic interview of December 2, 2004. Applicant regrets that no agreement was reached during the interview.

A. Claims 1-9 were rejected under 35 U.S.C. §112 as indefinite

The rejection of claims 1-9 as indefinite under 35 U.S.C §112 is traversed.

The definiteness of language is analyzed, not in a vacuum, but always in light of the teachings of the disclosure, as it would be interpreted by one of ordinary skill in the art. See, MPEP §2106. Claim 1 includes "launching an external command to capture a system command environment." Those of ordinary skill in the art are acquainted with the claimed "system command environment" and would find the claimed language definite. The term "system command environment" may be found in such publicly available technical documentation as <http://csg.uwaterloo.ca/sdtp/watc.html>¹, and further examination of the specification shows reference to "the system command environment for Windows operating systems," (page 4, lines 23-25). One of ordinary skill in the art would interpret "system command environment" as referencing a command environment such as that available for Windows (<http://www.cise.ufl.edu/class/cgs2414su03/WebPage/setEnvVar.html>) or indeed any operating system command environment such as that of the UNIX command environment (<http://www.cs.umb.edu/cs630/Unix.Guide.pdf>).

¹ "A powerful system command environment allows other programs to be run, editor access to source code or program data files - including ISPF (or XEDIT on VM/CMS), and other system commands to be entered."

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Additionally, the website for Sandia National Laboratories defines command environment as:

A Command's Environment

All the variables (with their associated values) that are known to a command at the beginning of its execution constitute its environment. This environment includes variables that a command inherits from its parent process and variables specified as keyword parameters on the command line that calls the command.

The shell passes to its child processes the variables that were named as arguments to the built-in export command. export places the named variables in the environments of both the shell and all its future child processes.

Keyword parameters are variable-value pairs that appear in the form of assignments...

See, <http://www.sandia.gov/ASCI/Red/usage/paragon/man/man1/sh.1.html>

In this *Sandia* example, a command environment is defined as variable and value pairs. The phrase "capture a system command environment" should be readily understood in light of the teachings of the disclosure, as it would be interpreted by one of ordinary skill in the art. When common use of the terms and phrases in the specification are known and language is viewed in light of the teachings of this disclosure, the claim is definite. As claim 1 is definite, claims 2-9 do not inherit any indefiniteness.

Withdrawal of the rejections to claims 1-9 is requested.

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B. Claims 1-9 were rejected under 35 U.S.C. §103(a) as unpatentable over Padawer in view of "Dictionary"

The §103(a) rejections of claims 1-9 as unpatentable over Padawer in view of Dictionary is traversed. In order to sustain the rejection, each and every element of the claimed invention must be taught or suggested by the references, alone or in combination, in at least as great detail as claimed. Since the references do not teach or suggest each and every element, the rejection should be withdrawn.

At a minimum, Padawer in view of Dictionary does not teach or suggest "linking the command to the command environment with the added parameter string." As claimed, a system command environment is stored in an array of strings, and at least one parameter string is added to the array of strings. A command is linked to the command environment with the added parameter string. Thus, if the command is executed after performing the claimed method, rather than executing the system command environment as existed prior to the method, executing the command results in executing the system command environment *as modified* by the method.

Indeed, Padawer directly and unequivocally teach away from the claimed invention. The Custom Menu Item (CMI) taught by Padawer only manipulates menu items in a user defined menu. See, Abstract of Padawer. Furthermore, Padawer teaches "user customizable menus are provided in which virtually any program which may be executed on a computer may be invoked from within a predetermined environment wherein arguments may be passed from the predetermined environment to the external program." Padawer, column 9, lines 28-34. Thus, Padawer unequivocally teaches that arguments from *the predetermined environment* are passed to the *external program*, teaching away from the claimed invention. First, the environment is described as "predetermined," which is in direct opposition to the claimed invention, which claims a method including "linking the command to the command environment with the added parameter string." Second, while Padawer teaches passing arguments *outward* to an external program, Padawer does not teach or suggest "launching an external command to *capture* a system command environment." (emphasis added)

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Therefore, independent claims 1, 5, and 9 are patentable over Padawer in view of Dictionary, as are claims 2-4 and 6-8 depending from claim 1, 5, or 9 respectively. Withdrawal of the rejections to claims 1-9 is requested.

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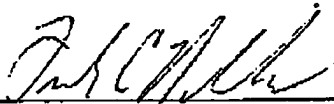
CONCLUSION

The Applicants respectfully submit that claims 1-9 fully satisfy the requirements of 35 U.S.C. §§102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested.

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Respectfully submitted,
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